

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

v.

MICHAEL TIMOTHY PANKIEWICZ

CASE NO. 6:03-cr-
18 U.S.C. § 641
18 U.S.C. § 1001
18 U.S.C. § 2314
18 U.S.C. § 981 - Forfeiture
28 U.S.C. § 2461 - Forfeiture

INDICTMENT

The Grand Jury charges:

A. Introduction

At times material to this Indictment:

1. MICHAEL TIMOTHY PANKIEWICZ worked as a Quality Assurance Specialist for the National Aeronautical and Space Administration (hereinafter referred to as "NASA"), an agency of the United States, at the John F. Kennedy Space Center in Cape Canaveral, Florida.

2. On February 1, 2003, the space shuttle Columbia attempted to reenter Earth's atmosphere after completing a mission in space. During reentry, the space shuttle Columbia was destroyed and all crew members lost their lives.

3. Debris from Columbia showered into eastern Texas.

4. Due to his training, education, and work experience, NASA dispatched MICHAEL TIMOTHY PANKIEWICZ, along with others, to eastern Texas to retrieve debris from Columbia that had fallen to Earth.

COUNT ONE

Beginning on or about February 1, 2003, and continuing through on or about March 28, 2003, in the Eastern District of Texas, Middle District of Florida, and elsewhere,

MICHAEL TIMOTHY PANKIEWICZ

the defendant herein, did knowingly and willfully embezzle and convert to his own use debris from the space shuttle Columbia, property of the United States, the value of which was one thousand dollars (\$1,000) or more, which said property had come into the possession and under the care of the defendant by virtue of his employment as a Quality Assurance Specialist at the National Aeronautical and Space Administration.

All in violation of Title 18, United States Code, Section 641.

COUNT TWO

On or about March 28, 2003, in Brevard County, Florida, in the Middle District of Florida, and elsewhere,

MICHAEL TIMOTHY PANKIEWICZ

the defendant herein, did unlawfully transport and transfer in interstate commerce from the State of Texas, to the State of Florida, stolen goods, wares and merchandise, that is, debris from the space shuttle Columbia, the value of which was five thousand dollars (\$5,000) or more, knowing the same to have been stolen.

All in violation of Title 18, United States Code, Section 2314.

COUNT THREE

On or about March 28, 2003, in Brevard County, Florida, in the Middle District of Florida, and elsewhere,

MICHAEL TIMOTHY PANKIEWICZ

the defendant herein, in a matter within the jurisdiction of the executive branch of the government of the United States, knowingly and willfully made and caused to be made materially false, fictitious and fraudulent statements and representations, knowing the same to be materially false, fictitious and fraudulent statements, namely, the defendant falsely stated to a Special Agent of the NASA Office of the Inspector General that he did not possess any materials or property belonging to NASA without NASA's permission.

All in violation of Title 18, United States Code, Section 1001.

FORFEITURES

1. The allegations contained in Counts One and Two of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Sections 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. From his engagement in the violations alleged in Counts One and Two of this Indictment, punishable by imprisonment for more than one year, the defendant,

MICHAEL TIMOTHY PANKIEWICZ

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Sections 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), all of his interest in any property constituting or derived from proceeds obtained directly or indirectly as a result of the said violation(s).

3. If any of the property described in paragraph 2, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;

- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,

Foreperson

PAUL I. PEREZ
United States Attorney

By: _____
Vincent A. Citro
Assistant United States Attorney

By: _____
Carolyn J. Adams
Assistant United States Attorney
Chief, Orlando Division